

a) The specification lacks an explicit reference to the nature of reference legend 44. Such reference has now been added.

b) Claims 1-3, 6,7, 9-19 were rejected under 35 U.S.C. §102(e) as being clearly anticipated by Goldberg.

The claims of the present invention are not anticipated by Goldberg since this reference fails suggest, mention, contemplate or teach the element of a subscriber device that is capable of directing commands to the messaging gateway so that the subscriber device controls the operation of a remote messaging system. The commands contemplated and claimed by the present invention include allowing the subscriber to command the remote messaging system to save messages or to redirect messages to another recipient. Goldberg teaches a messaging terminal that is capable of forwarding an acknowledgement signal back to the terminal, but fails to teach that the subscriber unit itself can control the remote messaging systems (such as 114, 115, or 118 of Goldberg). Thus, Goldberg fails to anticipate the rejected claims 1-3, 6,7, 9-19.

c) Likewise, claims 1-3, 6,7, 9-19 were rejected under 35 U.S.C. §102(e) as being clearly anticipated by Ory.

The claims of the present invention are not anticipated by Ory since this reference fails suggest, mention, contemplate or teach the element of a subscriber device that is capable of directing commands to the messaging gateway so that the subscriber device controls the operation of a remote messaging system. The commands contemplated and claimed by the present invention include allowing the subscriber to command the remote messaging system to save messages or to redirect messages to another recipient. Ory teaches a messaging that essentially uses meet-me type switching to allow the system to page a user of a subscriber unit and alert the user to call back into the system by using the nearest phone as described in col. 8, lines 13-18. The subscriber unit in Ory does not control any kind of messaging system as claimed in the present invention. Thus, Ory fails to anticipate the rejected claims 1-3, 6,7, 9-19.

d) Claims 4 & 8 were rejected under 35 U.S.C. §103 as being unpatentable over Goldberg and Ory and further in view of Tsukamoto. As explained above, Goldberg and Ory fail to suggest, mention, or contemplate the claimed element of a subscriber device that is capable of directing commands to the messaging gateway so that the subscriber device controls the operation of a remote messaging system. The commands contemplated and claimed by the present invention include allowing the subscriber to command the remote messaging system to save messages or to

redirect messages to another recipient. Tsukamoto discusses a calander type menu that appears to be updated with data. Tsukamoto, though, likewise fails to teach, suggest or contemplate a subscriber device that is capable of directing commands to the messaging gateway so that the subscriber device controls the operation of a remote messaging system. Therefore, the combination of the present invention, particularly of the independent claims are not suggested, taught or contemplated by the references alone or in combination.

e) Claim 5 rejected under 35 U.S.C. §103 as being unpatentable over Goldberg and Ory and further in view of use of common equipment. As explained aboved, Goldberg and Ory fail to suggest, mention, or contemplate the claimed element of a subscriber device that is capable of directing commands to the messaging gateway so that the subscriber device controls the operation of a remote messaging system. The commands contemplated and claimed by the present invention include allowing the subscriber to command the remote messaging system to save messages or to redirect messages to another recipient. The common equipment referred to by the examiner, likewise fails to teach, suggest or contemplate a subscriber device that is capable of directing commands to the messaging gateway so that the subscriber device controls the operation of a remote messaging system. Therefore, the combination of the present invention, particularly of the independent claims are not suggested, taught or contemplated by the references alone or in combination.

Accordingly, applicant respectfully submits that the claims, as amended, are clearly and patentably distinguishable over the cited reference of record and as such are to be deemed allowable. Such allowance is hereby earnestly and respectfully solicited at an early date.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to deposit account # 13-4778.

Respectfully submitted,

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